



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION EXAMINING OPERATIONS

Appl. No.: 10/813,787 Confirmation No.: 5521
Applicant: McIntosh et al. TC/AU: 3723
Filed: March 26, 2004 Examiner: J.G. Smith
Customer No.: 00152 Docket No.: DBH:0756.0892

Title: FOLDING MULTI-TOOL WITH ADJUSTABLE PLIERS

TERMINAL DISCLAIMER

1600 ODS Tower
601 SW 2nd Avenue
Portland, Oregon
June 20, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Leatherman Tool Group, Inc., an Oregon corporation, having a place of business and post office address at 12106 N.E. Ainsworth Circle, Portland, Oregon 97220-9001, represents that it is the assignee and owner of the entire interest in the above-identified U.S. patent application, and of the entire interest in U.S. Patent No. 6,430,768, by virtue of an Assignment of the entire interest in said application and in said patent, which was recorded March 26, 2004, at Reel 015165, Frame 0061, of the records of Assignments of patents. Leatherman Tool Group, Inc. hereby disclaims, except as provided below, the terminal part of the term of any patent granted on the above-identified application Serial No. 10/813,787 which would extend beyond the expiration date of the full statutory term defined in 35 USC §§154 to 156 and 173 of said U.S. Patent No. 6,430,768, and hereby agrees that any patent so granted on

the above-identified pending application Serial No. 10/813,787 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said U.S. Patent No. 6,430,768, this agreement to run with any patent granted on the above-identified pending application Serial No. 10/813,787 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application Serial No. 10/813,787 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of said U.S. Patent No. 6,430,768 in the event that said U.S. Patent No. 6,430,768 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. This Terminal Disclaimer is accompanied by the fee required under 37 CFR §1.20(d).

Signed this 20th day of June 2005 at Portland, Oregon. The undersigned is an attorney of record.



Donald B. Haslett
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